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**Changes to legislation:** There are currently no known outstanding effects for the Education Act 2005, Cross Heading: Determination of schools' budget shares. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 16

#### FUNDING OF MAINTAINED SCHOOLS

##### *Determination of schools' budget shares*

- 6 (1) Section 47 of the 1998 Act (determination of school's budget share) is amended as follows.
- (2) In subsection (1)—
- (a) for “financial year” substitute “ funding period ”, and
  - (b) for “that year” substitute “ that period ”.
- (3) In subsection (2)—
- (a) after paragraph (d) insert—
    - “(dd) authorising or requiring such authorities to take account of matters arising after the initial determination of budget shares for a funding period but before the beginning of the funding period, by redetermining budget shares for that period in accordance with the regulations, and requiring them in that connection to disregard such matters as may be specified in the regulations;”,
  - (b) in paragraph (e) for “financial year” substitute “ funding period ” and for “year” in sub-paragraphs (i) and (ii) substitute “ funding period ”,
  - (c) after paragraph (f) insert—
    - “(ff) requiring notice of any initial determination or revised determination to be given in accordance with the regulations to the governing bodies of schools maintained by the authority in question;”, and
  - (d) for paragraph (g) substitute—
    - “(g) authorising [<sup>F1</sup>local authorities] in prescribed cases to determine (or redetermine) budget shares, to such extent as may be prescribed, in accordance with arrangements approved by the authority's schools forum or the Secretary of State in accordance with the regulations (in place of the arrangements provided for by the regulations);”.
- (4) After subsection (2) insert—
- “(2A) The time by which regulations made in pursuance of subsection (2)(a) require an initial determination of schools' budget shares for a funding period to be made may be up to 48 months before the beginning of the funding period.”



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#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 13(3)**
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#### Commencement Information

- I1** Sch. 16 para. 6 partly in force; Sch. 16 para. 6 not in force at Royal Assent see s. 125; Sch. 16 para. 6 in force for E. at 1.11.2005 by [S.I. 2005/2034](#), **art. 8** (with [Sch. paras. 3, 4](#))
- I2** Sch. 16 para. 6 in force at 1.4.2010 for W. by [S.I. 2010/735](#), **art. 2(d)**



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